

Town Board Minutes

**Meeting
No. 41**

Regular Meeting

December 2, 2002

Town Board Minutes

December 2, 2002

Meeting No. 41

A Regular Meeting of the Town Board of the Town of Lancaster, Erie County, New York, was held at the Town Hall at 21 Central Avenue, Lancaster, New York on the 2nd day of December 2002 at 8:00 P.M. and there were

PRESENT: MARK MONTOUR, COUNCIL MEMBER
RONALD RUFFINO, COUNCIL MEMBER
DONNA STEMPIAK, COUNCIL MEMBER
ROBERT GIZA, SUPERVISOR

ABSENT: RICHARD ZARBO, COUNCIL MEMBER

ALSO PRESENT: JOHANNA COLEMAN, TOWN CLERK
ROBERT LABENSKI, TOWN ENGINEER
RICHARD SHERWOOD, TOWN ATTORNEY
LEONARD CAMPISANO, ASSISTANT BUILDING INSPECTOR
CHRISTINE FUSCO, ASSESSOR
TERRENCE McCRACKEN, GENERAL CREW CHIEF
RICHARD REESE JR., HIGHWAY SUPERINTENDENT
MARY ANN PERRELLO, DEPUTY TOWN CLERK

PERSONS ADDRESSING TOWN BOARD:

Beutler, Daniel, 26 Tyler Street, spoke to the Town Board on the following matters:

- Questions about the Village of Lancaster's funding of Police merger with their sales tax revenue.
- Questions about utilization of facilities.
- Questions about the recent designation of property in Windsor Ridge Subdivision by New York State Department of Environmental Conservation as wetland.

Chowanice, Lee, 93 Northwood Drive, spoke to the Town Board on the following matters:

- Feels that the resolution approving the transfer of police services from Village to Town is ambiguous.
- Expressed interest in a public hearing on police merger issue.
- Questions about delineations of wetlands by New York State Department of Environmental Conservation in the Windsor Ridge Subdivision.

Gull, Henry, 710 Pavement Road, spoke to the Town Board on the following matters:

- Questions about a trip taken in 1992 to Glens Falls, New York by the previous Town Supervisor and other officials to inspect a building to be considered for future Senior Citizen Building in the Town.

Howell, Gary, 48 Park Blvd, spoke to the Town Board on the following matters:

- Inquired if the merger of the Town and Village of Lancaster Police Departments was a certainty.
- Questions about the code violations at 6355 Broadway.
- Questions about the potential of Casino revenues being shared with local municipalities.

Juszezak, Joseph, 600 Pleasant View Drive, spoke to the Town Board on the following matter:

- Raised questions about the accrued time to be paid to the Police Chief upon his retirement.

Symer, Donald, 610 Columbia Avenue, spoke to the Town Board on the following matter:

- Concerns about the tax rate which will be paid by Town residents as compared to that which will be paid by Village residents as a result of the merger of the Police Departments from the two municipalities.
- Feels that the Town of Lancaster should take over the Village Court system.

PRESENTATION OF PREFILED RESOLUTIONS BY COUNCIL MEMBERS:

THE FOLLOWING RESOLUTION WAS OFFERED
BY SUPERVISOR GIZA, WHO
MOVED ITS ADOPTION, SECONDED BY
COUNCIL MEMBER STEMPIAK. TO WIT:

RESOLVED, that the minutes of the Regular Meeting of the Town Board
Held November 18, 2002 be and are hereby approved.

The question of the adoption of the foregoing resolution was duly put to a vote
on roll call which resulted as follows:

COUNCIL MEMBER MONTOUR	VOTED YES
COUNCIL MEMBER RUFFINO	ABSTAINED
COUNCIL MEMBER STEMPIAK	VOTED YES
COUNCIL MEMBER ZARBO	WAS ABSENT
SUPERVISOR GIZA	VOTED YES

December 2, 2002

File: RMIN (P2)

THE FOLLOWING RESOLUTION WAS OFFERED
BY SUPERVISOR GIZA, WHO
MOVED ITS ADOPTION, SECONDED BY
COUNCIL MEMBER MONTOUR, TO WIT:

WHEREAS, G&S Development, LLC, P.O. Box 250 Springbrook, New York,
has requested the Town Board of the Town of Lancaster to accept work completed under a
Street Lighting Public Improvement within Fox Trace Subdivision within the Town of
Lancaster, and

WHEREAS, the Town Engineer has inspected the improvement and has
recommended the approval thereof, and

WHEREAS, the Town Attorney by letter to the Town Clerk dated November
20, 2002 has reported his favorable review of all necessary deeds, easements and documents
required to be filed for the acceptance of these public improvements.

NOW, THEREFORE, BE IT

RESOLVED, that the following completed Street Lighting Public
Improvement within Fox Trace Subdivision, be and is hereby approved and accepted by the
Town Board of the Town of Lancaster:

P.I.P. No. 557- Street Lights

and,

BE IT FURTHER

RESOLVED, that a copy of this resolution be directed by the Town Clerk to
the New York State Electric & Gas Corporation with a request to energize the street lights
herein.

The question of the adoption of the foregoing resolution was duly put to a vote
on roll call which resulted as follows:

COUNCIL MEMBER MONTOUR	VOTED YES
COUNCIL MEMBER RUFFINO	VOTED YES
COUNCIL MEMBER STEMPIAK	VOTED YES
COUNCIL MEMBER ZARBO	WAS ABSENT
SUPERVISOR GIZA	VOTED YES

December 2, 2002
File: RPP (P4)

THE FOLLOWING RESOLUTION WAS OFFERED
BY COUNCIL MEMBER MONTOUR, WHO
MOVED ITS ADOPTION, SECONDED BY
COUNCIL MEMBER STEMPIAK. TO WIT:

WHEREAS, SOUTHEAST COMMUNITY WORK CENTER, INC., offers a program for retarded adults in the communities of Lancaster, Alden, Marilla, Elma, East Aurora, Aurora and Wales, and

WHEREAS, this program consists of development, pre-vocational and work activities training program for those individuals in the range of mild to severe retardation, and

WHEREAS, the Center is presently located at 181 Lincoln Street, Depew, New York and its services in the area of evaluation, tutoring, development of self-help skills, personal adjustment training, recreation and counseling would be of substantial benefit to residents of the Town of Lancaster, and

WHEREAS, SOUTHEAST COMMUNITY WORK CENTER, INC., by letter dated October 30, 2002 has offered to contract with the Town of Lancaster for the aforementioned services during the year 2003 for the total sum of Three Thousand Dollars (\$3,000).

**NOW, THEREFORE, BE IT
RESOLVED,** as follows:

1. That the Town Board of the Town of Lancaster hereby authorizes the Supervisor to execute an Agreement with Southeast Community Work Center, Inc., for a program for retarded adults residing in the Town of Lancaster for developmental, pre-vocational and work activities training program for those individuals in the range of mild to severe retardation, and evaluation, tutoring and development of self-help skills, personal adjustment training, recreation and counseling, and

2. That the sum of Three Thousand Dollars (\$3,000.00) be paid in four equal quarterly payments: January 1st, April 1st, July 1st, and October 1st, 2003.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call, which resulted as follows:

COUNCIL MEMBER MONTOUR	VOTED YES
COUNCIL MEMBER RUFFINO	VOTED YES
COUNCIL MEMBER STEMPIAK	VOTED YES
COUNCIL MEMBER ZARBO	WAS ABSENT
SUPERVISOR GIZA	VOTED YES

December 2, 2002
File: asewken02

THE FOLLOWING RESOLUTION WAS OFFERED
BY COUNCIL MEMBER MONTOUR, WHO
MOVED ITS ADOPTION, SECONDED BY
COUNCIL MEMBER RUFFINO. TO WIT:

WHEREAS, it is the desire of the Town of Lancaster to renew the Agreement heretofore entered into by the Town of Lancaster and the Depew-Lancaster Boys' and Girls' Club, Inc., for the operation of a Junior Citizens Club at the Depew Branch of the said Boys' and Girls' Club, Inc., which expires according to its terms on December 31, 2002, and

WHEREAS, the said Depew-Lancaster Boys' and Girls' Club, Inc., has submitted and filed its 2003 Budget for the operation of said Junior Citizens Club.

NOW, THEREFORE, BE IT

RESOLVED, that the Supervisor be and is hereby authorized and directed to execute said Agreement on behalf of the Town of Lancaster, which has been drawn and approved by the Town Attorney.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call, which resulted as follows:

COUNCIL MEMBER MONTOUR	VOTED YES
COUNCIL MEMBER RUFFINO	VOTED YES
COUNCIL MEMBER STEMPIAK	VOTED YES
COUNCIL MEMBER ZARBO	WAS ABSENT
SUPERVISOR GIZA	VOTED YES

December 2, 2002

File: rjuniorcitizensclub2003

THE FOLLOWING RESOLUTION WAS OFFERED
BY COUNCIL MEMBER MONTOUR, WHO
MOVED ITS ADOPTION, SECONDED BY
COUNCIL MEMBER RUFFINO, TO WIT:

WHEREAS, it is the desire of the Town of Lancaster to renew the Agreement heretofore entered into by the Town of Lancaster and the Depew-Lancaster Boys' and Girls' Club, Inc., for the operation of a Junior Citizens Club at the Lancaster Branch of the said Boys' and Girls' Club, Inc., which expires according to its terms on December 31, 2002, and

WHEREAS, the said Depew-Lancaster Boys' and Girls' Club, Inc., has submitted and filed its 2003 Budget for the operation of said Junior Citizens Club.

NOW, THEREFORE, BE IT

RESOLVED, that the Supervisor be and is hereby authorized and directed to execute said Agreement on behalf of the Town of Lancaster, which has been drawn and approved by the Town Attorney.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call, which resulted as follows:

COUNCIL MEMBER MONTOUR	VOTED YES
COUNCIL MEMBER RUFFINO	VOTED YES
COUNCIL MEMBER STEMPIAK	VOTED YES
COUNCIL MEMBER ZARBO	WAS ABSENT
SUPERVISOR GIZA	VOTED YES

December 2, 2002

File: rjuniorcitizensclub2003a

THE FOLLOWING RESOLUTION WAS OFFERED
BY SUPERVISOR GIZA, WHO
MOVED ITS ADOPTION, SECONDED BY
COUNCIL MEMBER STEMPIAK, TO WIT:

WHEREAS, the Chief of Police of the Town of Lancaster has requested the Town Board to advertise for bids to furnish New 2003 Police Patrol Vehicles, for use by the Police Department, and

WHEREAS, the Public Safety Committee of the Town Board has approved such request.

NOW, THEREFORE, BE IT

RESOLVED, that Notice to Bidders and/or Automobile Dealers, in form attached hereto and made a part hereof, be published in the Lancaster Bee and posted according to Law, that the Town will receive bids up to 10:00 o'clock A.M. Local Time, on December 13, 2002, at the Town Hall, 21 Central Avenue, Lancaster, New York, for the furnishing of New 2003 Police Patrol Vehicles for use by the Police Department of the Town of Lancaster, in accordance with specifications on file in the office of the Town Clerk.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call, which resulted as follows:

COUNCIL MEMBER MONTOUR	VOTED YES
COUNCIL MEMBER RUFFINO	VOTED YES
COUNCIL MEMBER STEMPIAK	VOTED YES
COUNCIL MEMBER ZARBO	WAS ABSENT
SUPERVISOR GIZA	VOTED YES

December 2, 2002

File: rpolbds1202

**LEGAL NOTICE
TOWN OF LANCASTER
NOTICE TO BIDDERS
AND/OR
AUTOMOBILE DEALERS**

NOTICE IS HEREBY GIVEN that sealed bids and/or proposals will be received by the Town Clerk of the Town of Lancaster, Erie County, New York, at the Town Hall, 21 Central Avenue, Lancaster, New York, up to 10:00 A.M., Local Time, on the 13th day of December, 2002, for furnishing to the Police Department of the Town of Lancaster, New York, new 2003 Police Patrol Vehicles for use by the Police Department of the Town of Lancaster, in accordance with specifications on file in the Town Clerk's Office, 21 Central Avenue, Lancaster, New York.

A certified check or bid bond in the amount of One Thousand Dollars (\$1,000), payable to the Supervisor of the Town of Lancaster, and a Non-Collusive Bidding Certificate must accompany each bid.

The Town reserves the right to reject any or all bids and to waive any informalities.

**TOWN BOARD OF THE
TOWN OF LANCASTER**

**BY: JOHANNA M. COLEMAN
Town Clerk**

December 2, 2002

THE FOLLOWING RESOLUTION WAS OFFERED
BY SUPERVISOR GIZA, WHO
MOVED ITS ADOPTION, SECONDED BY
COUNCIL MEMBER STEMPIAK, TO WIT:

WHEREAS, the Town of Lancaster has previously engaged the services of William L. Holcomb Associates, Inc. to act as its labor consultant for contract administration and other services related thereto, and

WHEREAS, the contract with William L. Holcomb Associates, Inc. expires December 31, 2002, and

WHEREAS, a proposal from William L. Holcomb Associates, Inc. has been received which offers a continuation and renewal of these services for the years commencing January 1, 2003 and ending December 31, 2004, and

WHEREAS, the Town Board has given due review and consideration to the proposal made by William L. Holcomb Associates, Inc.

NOW, THEREFORE, BE IT

RESOLVED, that the Town Board of the Town of Lancaster hereby authorizes the Supervisor to enter into a contract with William L. Holcomb Associates, Inc. for the provision of labor consultant services for contract administration and services related thereto pursuant to the terms and conditions as outlined in the proposal attached hereto and made a part hereof effective January 1, 2003 through December 31, 2004.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call, which resulted as follows:

COUNCIL MEMBER MONTOUR	VOTED YES
COUNCIL MEMBER RUFFINO	VOTED YES
COUNCIL MEMBER STEMPIAK	VOTED YES
COUNCIL MEMBER ZARBO	WAS ABSENT
SUPERVISOR GIZA	VOTED YES

December 2, 2002

File: tholcombnegotiator1202

1. Meetings with appropriate Department Personnel, the Town Board and others as required to formulate management proposals for the Town.
2. Upon receipt of employee demands, coordination to include investigation and evaluation of proposed issues.
3. As mutually agreed, conducting negotiations in conformance with Taylor Law procedures.
4. Upon completion of the contract, implementation and orientation procedures will be effected
5. Services for contract and grievance arbitration administration, PERB improper labor procedure matters, or other employee relations activities, will be charged at the rate of seventy-five dollars (\$75.00) per hour.

The retainer fee for the above described services will be as follows:

Effective 1/1/2003 through 12/31/2003	\$800.00 per month
Effective 1/1/2004 through 12/31/2004	\$800.00 per month

Additionally, any expenses deemed necessary will not be charged without advanced approval of the Town.

This Agreement will remain in force unless terminated by either party by thirty (30) calendar days notice in writing given to the other.

Please sign and return a copy of this contract at your convenience.

Very truly yours,

Accepted the _____ day of _____, 2002

TOWN OF LANCASTER

WILLIAM L. HOLCOMB ASSOCIATES, INC.

Supervisor, Town of Lancaster

William L. Holcomb

THE FOLLOWING RESOLUTION WAS OFFERED
BY SUPERVISOR GIZA , WHO
MOVED ITS ADOPTION. SECONDED BY
COUNCIL MEMBER MONTOUR. TO WIT:

WHEREAS, representatives from the Town of Lancaster and representatives from the Village of Lancaster have held meetings relative to consolidating police services in the Village of Lancaster ("Village") and the Town of Lancaster ("Town") through the transfer of police functions currently performed by the Village Police Department to the Town Police Department pursuant to Civil Service Law Section 70(2) and (5), and as authorized under General Municipal Law Section 119-0, and

WHEREAS, certain issues relative to the consolidation of police services through the transfer of police functions from the Village to the Town remain unresolved, and

WHEREAS, representatives of the Town and the Village, as well as members of the Village PBA and the Town PBA are currently negotiating these outstanding issues, and

WHEREAS, pending completion of said negotiations relative to the transfer of police functions from the Village to the Town, the Town desires to indicate its approval of the transference of said police functions from the Village to the Town.

NOW, THEREFORE, BE IT

RESOLVED, that the Town Board hereby indicates its intent and desire to effect such transfer of police functions from the Village to the Town provided favorable conclusion of outstanding issues have been negotiated, and

BE IT FURTHER RESOLVED, that the Town Board approves the establishment of a joint Town and Village committee for the purpose of addressing the utilization of facilities by a transfer of police functions from the Village to the Town.

The question of the foregoing resolution was duly put to a vote on roll call which resulted as follows:

COUNCIL MEMBER MONTOUR	VOTED YES
COUNCIL MEMBER RUFFINO	VOTED YES
COUNCIL MEMBER STEMPIAK	VOTED YES
COUNCIL MEMBER ZARBO	WAS ABSENT
COUNCIL MEMBER GIZA	VOTED YES

December 2, 2002

File: policemerger1202

THE FOLLOWING RESOLUTION WAS OFFERED
BY SUPERVISOR GIZA, WHO MOVED
ITS ADOPTION, SECONDED BY COUNCIL
MEMBER RUFFINO. TO WIT:

WHEREAS, the Town Board of the Town of Lancaster has been notified by the Chief of Police Thomas Fowler that he will retire as the Chief of Police for the Town of Lancaster effective January 3, 2003. and

WHEREAS, the Town Board has given consideration to the replacement of Chief Fowler and has been made aware that Village Police Chief Gary Stoldt has the proper qualifications to act in the capacity as Chief of Police in the Town of Lancaster. said qualifications including his having passed the Civil Service Examination, Chief of Police, Level B for municipalities which is the test required to be eligible to act as Chief of Police for the Town of Lancaster, and

WHEREAS, the Town Board has considered Chief Stoldt's qualifications and experience and the impending transfer of police functions from the Village to the Town and deems it in the public interest to cause his appointment as Chief of the Police of the Town of Lancaster.

NOW, THEREFORE, BE IT

RESOLVED, that the Town Board of the Town of Lancaster hereby authorizes the Supervisor of the Town of Lancaster to make a formal request to Hon. John W. Greenan, Commissioner of Erie County Department of Personnel to permit the appointment of Village of Lancaster Police Chief Gary Stoldt as Chief of Police to the Town of Lancaster pursuant to Erie County Department of Personnel Rule XVI.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call, which resulted as follows:

COUNCIL MEMBER MONTOUR	VOTED YES
COUNCIL MEMBER RUFFINO	VOTED YES
COUNCIL MEMBER STEMPIAK	VOTED YES
COUNCIL MEMBER ZARBO	WAS ABSENT
SUPERVISOR GIZA	VOTED YES

December 2, 2002

File: fowlerretirement1202

THE FOLLOWING RESOLUTION WAS OFFERED
BY COUNCIL MEMBER STEMPIAK WHO
MOVED ITS ADOPTION, SECONDED BY
COUNCIL MEMBER MONTOUR, TO WIT:

WHEREAS, Bhagwanji Kunvarji, d/b/a Kunvarji Hotels, Inc., 6673 Transit Road, Lancaster, New York, has submitted a Site Plan prepared by Lauer-Manguso and Associates Architects dated July 3, 2001 and received July 3, 2001 with later revisions through November 25, 2002 for the demolition of an existing hotel and proposed construction of two new hotels (one hotel at 58,924 sq. ft. and a second hotel at 49,916 sq. ft. for a total of 108,840 sq. ft.) on 6.965 + acres on the east side of Transit Road, north of the NYS Thruway, and

WHEREAS, the Planning Board has reviewed the plan, and at its meeting September 4, 2002, has recommended approval of this project, and

WHEREAS, a SEQR Review of this project was held September 17, 2001 and a negative declaration was issued at that time.

NOW THEREFORE, BE IT

RESOLVED, that the Town Board of the Town of Lancaster hereby approves the Site Plan submitted by Bhagwanji Kunvarji, and prepared by Lauer-Manguso and Associates Architects and dated July 3, 2001 and received July 3, 2001 with later revisions through November 25, 2002 for the demolition of an existing hotel and proposed construction of two new hotels (one hotel at 58,924 sq. ft. and a second hotel at 49,916 sq. ft. for a total of 108,840 sq. ft.) on 6.965 + acres on the east side of Transit Road, north of the NYS Thruway, in the Town of Lancaster, subject to the following conditions:

- Dumpster locations with screening.
- Front parcel to be graded, successfully vegetated, and attractively maintained.
- Landscape changes as per General Crew Chief in memo dated December 2, 2002.
- Lights will be 20' light standards with flat lenses.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call, which resulted as follows:

COUNCIL MEMBER MONTOUR	VOTED YES
COUNCIL MEMBER RUFFINO	VOTED YES
COUNCIL MEMBER STEMPIAK	VOTED YES
COUNCIL MEMBER ZARBO	WAS ABSENT
SUPERVISOR GIZA	VOTED YES

December 2, 2002

THE FOLLOWING RESOLUTION WAS OFFERED
BY SUPERVISOR GIZA, WHO MOVED ITS
ADOPTION, SECONDED BY COUNCIL
MEMBER RUFFINO. TO WIT:

WHEREAS, the Dog Control Officer of the Town of Lancaster has informed the
Town Board that a vacancy exists in the position of Dog Control Officer. Part Time, and

WHEREAS, the Dog Control Officer has recommended the appointment of
Carol Sherman, 64 Burwell Avenue, Lancaster, New York 14086 to the aforementioned position
of Dog Control Officer, Part Time.

NOW, THEREFORE, BE IT

RESOLVED, that Carol Sherman, 64 Burwell Avenue, Lancaster, New York
14086 be and is hereby appointed to the position of Dog Control Officer, Part Time, with no
health benefits, insurance, sick days, vacation or other benefits, effective December 16, 2002,
and

BE IT FURTHER

RESOLVED, that the salary for this position is \$11.14 per hour which is 75% of
the gross salary, as set forth in the 2002 Schedule of Salaries.

The question of the adoption of the following resolution was duly put to a vote on
roll call which resulted as follows:

COUNCIL MEMBER MONTOUR	VOTED YES
COUNCIL MEMBER RUFFINO	VOTED YES
COUNCIL MEMBER STEMPIAK	VOTED YES
COUNCIL MEMBER ZARBO	WAS ABSENT
SUPERVISOR GIZA	VOTED YES

December 2, 2002

FILE: RPER.S.DCO (PI)

THE FOLLOWING RESOLUTION WAS OFFERED
BY SUPERVISOR GIZA, WHO MOVED ITS
ADOPTION, SECONDED BY COUNCIL
MEMBER STEMPNIAK, TO WIT:

RESOLVED, that the following Audited Claims be and are hereby ordered paid
from their respective accounts as per abstract to be filed in the Office of the Town Clerk by the
Director of Administration and Finance, to wit:

Claim No. 17587 to Claim No. 17777 Inclusive

Total amount hereby authorized to be paid: \$657,888.03

The question of the foregoing resolution was duly put to a vote on roll call which
resulted as follows:

COUNCIL MEMBER MONTOUR	VOTED YES
COUNCIL MEMBER RUFFINO	VOTED YES
COUNCIL MEMBER STEMPNIAK	VOTED YES
COUNCIL MEMBER ZARBO	WAS ABSENT
SUPERVISOR GIZA	VOTED YES

December 2, 2002

File: Relaims

THE FOLLOWING RESOLUTION WAS OFFERED
BY COUNCIL MEMBER STEMPNIAK, WHO
MOVED ITS ADOPTION, SECONDED BY
COUNCIL MEMBER RUFFINO, TO WIT:

RESOLVED that the following Building Permit Applications be and are hereby reaffirmed:

CODES:

(SW) = Sidewalks as required by Chapter 12-1B. of the Code of the Town Lancaster are waived for this permit.

(CSW) = Conditional sidewalk waiver.

(V/L) = Village of Lancaster

NEW PERMITS:

10108	KCM Custom Built	7 Summerfield Dr	Er. Shed	
10109	Miner, George	2753 Wehrle Dr	Er. Comm. Alt.	
10110	Texido, Robert	8 Grafton Ct	Er. Res. Alt.	
10111	Jaskowiak, Wayne	29 Quail Run Ln	Er. Fence	
10112	Ryan Homes Inc	14 Creekwood Dr	Er. Dwlg.-Sin.	
10113	Zybczynski, Paul	11 Gordon Ave	Er. Shed	(V/L)
10114	Iroquois Fence	17 Hunters Dr	Er. Fence	
10115	Zoladz Construction	502 Pavement Rd	Dem. Dwlg. & Barn	
10116	Marrano/Marc Equity Inc	33 Apple Blossom Blvd	Er. Dwlg.-Sin.	
10117	Ad Works	3575 Walden Ave	Er. Sign-Wall	(V/L)
10118	Custom Sign Center Inc	3600 Walden Ave	Er. Sign	
10119	Custom Sign Center Inc	3600 Walden Ave	Er. Sign-Wall	
10120	E B Atlas Steel Corp	3815 Walden Ave	Er. Comm. Alt.	(V/L)
10121	Blachaniec, Donald	454 Townline Rd	Er. Fence	
10122	Forbes Homes Inc	1 Buckingham Ct	Er. Dwlg.-Sin.	
10123	Glauser, Jacob	460 Aurora St	Er. Res. Add.	
10124	Dexter, Jeffrey	8 Quail Hollow	Er. Deck	
10125	Kellerman, Steve	27 Stony Brook Dr	Er. Res. Alt.	
10126	Klock, Mark	123 Lake Ave	Er. Shed	(V/L)
10127	Polanski, Mary	26 Parkdale Dr	Er. Fence	
10128 SW	Alberti Landscaping	491 Erie St	Er. Comm. Bldg.	
10129	Page's Grill & Bar	4725 Transit Rd	Er. Sign-Temp	

BE IT FURTHER

RESOLVED, that the Building Permit Applications herein coded (SW) for sidewalk waiver be and are hereby reaffirmed with a waiver of the Town Ordinance requirement for sidewalks, and

BE IT FURTHER

RESOLVED, that the Building Permit Applications herein coded (CSW) for conditional sidewalk waiver be and are hereby reaffirmed with a waiver of the Town Ordinance required for sidewalks, however, the waiver is granted upon the expressed condition that the Town of Lancaster, at any future date, reserves the right to order sidewalk installation at the expense of the property owner.

The question of the adoption of the following resolution was duly put to a vote on roll call which resulted as follows

COUNCIL MEMBER MONTGOMERY	VOTED YES
COUNCIL MEMBER RUFFINO	VOTED YES
COUNCIL MEMBER STEMPNIAK	VOTED YES
COUNCIL MEMBER ZARBO	WAS ABSENT
SUPERVISOR GIZA	VOTED YES

December 2, 2002

File:Rhldg2

COMMUNICATIONS & REPORTS:

988. General Crew Chief to Planning Board Chairman, Planning Board Members, Council Members Montour, Ruffino & Stempniak -
Notice of approval from the Town Forestry Department for the site plan of Aero Auto Body Works with comments. DISPOSITION = Planning Committee
989. Roy Schmeggenburger to Town Board -
Transmittal of letter regarding alleged incident of March 18, 2001.
DISPOSITION = Received & Filed
990. General Crew Chief to Supervisor -
Notice of 6th annual Santa at Westwood on December 15, 2002. DISPOSITION = Received & Filed
991. Town of Marilla to Town Board -
Transmittal of legal notice regarding "Local Law Regulating Unsafe Buildings in the Town of Marilla". DISPOSITION = Received & Filed
992. Town of Newstead to Town Board -
Transmittal of notice of lead agency designation to the Town of Newstead regarding adoption of local law amending the Zoning Code. DISPOSITION = Received & Filed
993. Highway Superintendent to Planning Board Chairman -
Notice of approval from the Highway Department for the site plan of Walden Collision, 4274 Walden Avenue. DISPOSITION = Planning Committee
994. Claire Dela Rosa to Supervisor -
Letter of appreciation for Senior Center. DISPOSITION = Received & Filed
995. Peter & Lisa Musialowski to Town Board -
Comments regarding proposed Pleasant Meadows Subdivision. DISPOSITION = Planning Committee
996. Planning Board to Town Board -
Recommendation to approve site plan of Aero Auto Body Works, Ransom Road with conditions. DISPOSITION = Planning Committee
997. Planning Board Chairman to Planning Board Members, Town Board, Town Engineer, Town Attorney, Building Inspector -
Draft copy of Planning Board minutes of meeting held November 20, 2002.
DISPOSITION = Received & Filed
998. Village of Lancaster to Town Board -
Official Minutes of meeting held October 28, 2002. DISPOSITION = Received & Filed
999. Building Inspector to Maurice Shea -
Copy of "Order to Remedy Violation" at 6355 Broadway. DISPOSITION = Received & Filed
1000. Building Inspector to Paul Peter Stephan -
Copy of "Order to Remedy Violation" at 6355 Broadway. DISPOSITION = Received & Filed
1001. Captain Anthony Suchyna to Supervisor -
Notice to rescind request for retirement from Police Department. DISPOSITION = Received & Filed
1002. St. Mary's High School Board of Trustees to Supervisor -
Request for waiver of Building Permit fees for field house. DISPOSITION = Town Attorney & Town Board

1003. NYS Assembly Member Richard Smith to Erie County Executive -
Copy of letter regarding local share of casino revenue. DISPOSITION = Received & Filed
1004. Supervisor, Town of Aurora to NYS Comptroller -
Copy of letter regarding contributions to State Pension Fund.
DISPOSITION = Received & Filed
1005. Adelpia to Town Board -
Notification of commercial business rate change. DISPOSITION = Town Attorney

ADJOURNMENT:

ON MOTION OF COUNCIL MEMBER STEMPIAK, AND SECONDED BY
COUNCIL MEMBER RUFFINO, FOR ADJOURNMENT OF THE MEETING in memory of
George MacPeck, on roll, which resulted as follows:

COUNCIL MEMBER MONTOUR	VOTED YES
COUNCIL MEMBER RUFFINO	VOTED YES
COUNCIL MEMBER STEMPIAK	VOTED YES
COUNCIL MEMBER ZARBO	WAS ABSENT
SUPERVISOR GIZA	VOTED YES

The meeting was adjourned at 9:12 P.M.

Signed


Jbrianna M. Coleman, Town Clerk